



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of **DAVID HUMKE,**
DAVE AIAZZI, ROBERT LARKIN, DWIGHT
DORTCH and JOHN MAYER, Members, Regional
Transportation Commission of Washoe County,
State of Nevada,

**Request for
Opinion No. 09-01C**

Subjects.

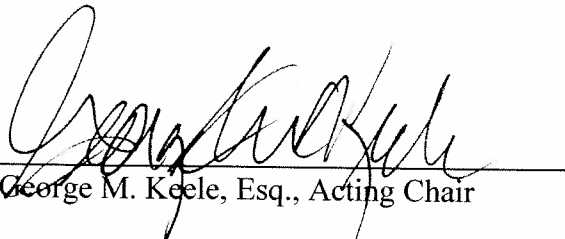
ORDER DENYING RTC'S MOTION TO DISMISS

On January 5, 2009, an ethics complaint was filed with the Nevada Commission on Ethics (Commission) against **DAVID HUMKE, DAVE AIAZZI, ROBERT LARKIN, DWIGHT DORTCH and JOHN MAYER,** Members, Regional Transportation Commission of Washoe County (RTC). On March 18, 2009, the RTC filed a Motion to Dismiss the Complaint.

On April 9, 2009, pursuant to NAC 281A.265, the Commission permitted RTC's attorney Stanyan Peck to give oral argument. Being fully informed, the Commission reviewed the Motion to Dismiss, the evidence and the documents on file, and the Commission made the following finding and entered the following order. There is a factual basis upon which to hold a hearing on the complaint. The full Commission must consider the specific mailers in question. Therefore, the RTC's Motion to Dismiss is **DENIED**. And, further, the Commission's hearing set for May 14, 2009 shall proceed as scheduled.

This order was entered into the public record at the Commission's meeting on April 9, 2009.

Dated this 21st day of April, 2009.


George M. Keele, Esq., Acting Chair

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this 22nd day of April, 2009, in Carson City, Nevada, I placed a true and correct copy of the **ORDER DENYING RTC'S MOTION TO DISMISS** ON RFO No. 09-01C in an envelope and caused same to be mailed via U.S. Mail, certified service, through the State of Nevada Mailroom, to the following addresses:

A. Stanyan Peck, Esq.
Chief Legal Counsel
Regional Transportation Commission of
Washoe County
2050 Villanova Drive
Reno, NV 89502

Cert. No. 7008 0150 0002 6137 4679

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Dwight Dortch
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John Mayer
c/o A. Stanyan Peck, Esq.
Chief Legal Counsel
Regional Transportation Commission of
Washoe County
2050 Villanova Drive
Reno, NV 89502

Cert. No. 7008 0150 0002 6137 4785

DATED: 04/22/09

Michelle A. Eke
An employee, Nevada Commission on Ethics

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this 22nd day of April, 2009, in Carson City, Nevada, I placed a true and correct copy of the **ORDER DENYING RTC'S MOTION TO DISMISS** ON RFO No. 09-01C in an envelope and caused same to be mailed via U.S. Mail, certified service, through the State of Nevada Mailroom, to the following addresses:

Garrett Gordon, Esq.
Lewis and Roca, LLP
50 W. Liberty Street, Suite 410
Reno, NV 89511

Cert. No. 7008 0150 0002 6137 4792

DATED:

04/22/09

Michelle A. Ené
An employee, Nevada Commission on Ethics